

In re:
David F. Curtiss
Debtor

Case No. 20-11587-mdc
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0313-2
Date Rcvd: Jun 07, 2021

User: admin
Form ID: pdf900

Page 1 of 2
Total Noticed: 3

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 09, 2021:

| Recip ID | Recipient Name and Address |
|----------|--|
| cr | + R. Kerry Kalmbach, 418 West State Street, Kennett Square, PA 19348-3027 |
| cr | + West Brandywine Township Municipal Authority and W, c/o Pornoff Law Associates, Ltd., P.O. Box 3020, Norristown, PA 19404-3020 |

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | Notice Type: Email Address | Date/Time | Recipient Name and Address |
|----------|---|----------------------|---|
| cr | Email/Text: RVSVCBICNOTICE1@state.pa.us | Jun 08 2021 01:40:00 | Commonwealth of Pennsylvania Department of Revenue, Bureau of Compliance, Dept. 280946, Harrisburg, PA 17128-0946 |

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 09, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 7, 2021 at the address(es) listed below:

| Name | Email Address |
|---------------------|--|
| DENISE A. KUHN | on behalf of Creditor Commonwealth of Pennsylvania Department of Revenue dkuhn@attorneygeneral.gov |
| JAMES RANDOLPH WOOD | on behalf of Creditor West Brandywine Township Municipal Authority and West Brandywine Township jwood@portnoffonline.com jwood@ecf.inforuptcy.com |
| NATHALIE PAUL | on behalf of Creditor Citadel Federal Credit Union npaul@weltman.com pitecf@weltman.com |

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REBECCA ANN SOLARZ

on behalf of Creditor M&T Bank bkgroup@kmlawgroup.com

ROBERT J. LOHR, II

on behalf of Debtor David F. Curtiss bob@lohrandassociates.com leslie@lohrandassociates.com;r59687@notify.bestcase.com

ROBERT KERRY KALMBACH

on behalf of Creditor R. Kerry Kalmbach kkalmbach@kalmbachlaw.com

United States Trustee

USTPRegion03.PH.ECF@usdoj.gov

WILLIAM C. MILLER, Esq.

ecfemails@ph13trustee.com philaecf@gmail.com

WILLIAM C. MILLER, Esq.

on behalf of Trustee WILLIAM C. MILLER Esq. ecfemails@ph13trustee.com, philaecf@gmail.com

TOTAL: 9

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re: **DAVID F. CURTISS** :
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Debtor :
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CHAPTER 13

BANKRUPTCY NO. 20-11587-MDC

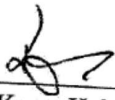
JOINT STIPULATION RESOLVING THE OBJECTION TO PROOF OF CLAIM #8

It is hereby stipulated by and between Lohr & Associates, Ltd., counsel for David F. Curtiss (the “Debtor”) and R. Kerry Kalmbach, Esquire (“Kalmbach”) (collectively the “Parties”) as follows:

1. On March 13, 2020, the Debtor filed a voluntary petition under chapter 13 of the Bankruptcy Code thereby commencing the above-captioned bankruptcy case.
2. On May 20, 2020, the meeting of creditors was held and concluded.
3. On May 20, 2020, Kalmbach timely filed unsecured proof of claim #8 in the amount of \$113,509.80.¹
4. On November 4, 2020, the Debtor filed Defendant David F. Curtiss's Verified Petition to Strike Default Judgment in the Chester County Court of Common Pleas.
5. On December 2, 2020, Kalmbach filed Plaintiff's Answer to Defendant David F. Curtiss's Verified Petition to Strike Default Judgment.
6. On December 28, 2020, an Order was entered granting Defendant's/Debtor's Petition to Strike Default Judgment. (A true and correct copy of the Order is attached hereto as Exhibit 1).

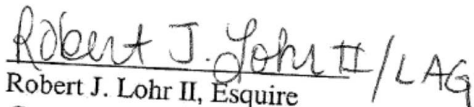
¹ Although proof of claim #8 was filed as an unsecured claim, this was in error as Kalmbach held a judgment against the Debtor by virtue of a default judgment entered in the Chester County Court of Common Pleas on January 31, 2019. Accordingly, as of May 20, 2020, Kalmbach's proof of claim #8 should have been filed as a secured claim. The Debtor scheduled Kalmbach's claim as secured on schedule D.

7. On January 6, 2021, the Debtor filed Objection to Proof of Claim #8.
8. In an effort to resolve the issues raised in the Objection to Proof of Claim #8, the Parties wish to stipulate to the new claim amount to be \$25,000.00, which is reflected in the Amended Proof of Claim #8. (A true and correct copy of the Amended Proof of Claim #8 is attached hereto as Exhibit 2).
9. In the event that the Debtor's bankruptcy case is dismissed or converted to chapter 7, the Parties agree that Kalmbach's claim remains \$25,000.00.




R. Kerry Kalmbach, Esquire
Holder of Proof of Claim #8

No Objection
/s/ LeeAne O Huggins
William C. Miller, Esquire
Office of the Chapter 13
Standing Trustee



Robert J. Lohr II, Esquire
Counsel for the Debtor

AND NOW, this 5th day of June, 2021, upon consideration of the foregoing Joint Stipulation Resolving the Objection to Proof of Claim #8, it is hereby ORDERED that the Joint Stipulation is approved.



Magdeline D. Coleman
Chief U.S. Bankruptcy Judge